

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7154
BILL NUMBER: HB 1398

NOTE PREPARED: Jan 13, 2004
BILL AMENDED:

SUBJECT: Professional Engineers.

FIRST AUTHOR: Rep. McClain
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: The bill establishes procedures under which the Board of Registration for Professional Engineers may issue a cease and desist order. The bill also amends the professional engineer certification law concerning the examination, application, ownership of a professional engineering business, and revocation or suspension of a certificate of registration.

Effective Date: July 1, 2004.

Explanation of State Expenditures: This bill allows the Board of Registration for Professional Engineers to issue a cease and desist order to a person who engages and is believed to be engaged in engineering activities while not being registered, certified, or exempt under professional engineer licensure statute. This provision should not increase expenditures for the Board.

Explanation of State Revenues: *Court Fee Revenue:* The Board may impose a civil penalty of not more than \$1,000 on a person who commit certain violations. If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed. 70% of the filing fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the

case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

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